

**City of Dubois**  
**PO Box 27**  
**332 W Main**  
**Dubois, ID 83423**

**City of Dubois**

PO Box 27  
Dubois, ID 83423  
Phone: 208-374-5241

**Donald Dietrich, Director**

Idaho Department of Commerce  
PO Box 83720  
Boise, ID 83720-0093

**Dear Director Dietrich:**

Concerning the commitment from the City of Dubois for the Centennial Energy Park, the City will provide up to \$75,000 towards the purchase of the property. The City also has enough capacity to provide water and sewer for the park.

We will also provide the financial audit, sponsor public meetings for public input for the project and provide labor and materials to construct a road base. Water will be supplied to obtain compaction on road way during construction.

The City is very concerned that we provide all opportunities for growth as possible to protect our schools and existing businesses here in our community.

The City is very committed to see this project become real.

Sincerely,

**City of Dubois**  
Keith Tweedie  
Mayor  
3/8/2010

3/8/2010

## Clark County Road and Bridge


### Estimate for roadway buildup and construction: Clark County Business/ Industrial Park:

I have prepared an estimate for the construction and buildup of the roadway servicing the Clark County Business/ Industrial Park to be located in Dubois, ID.

The estimate is based on the incrementalized costs of equipment, labor, and materials necessary to provide a compacted gravel roadway of at least twenty-four feet in width and at least two feet of transitional compacted shoulders. Roadway will be prepared to allow future paving as the need arises.

The estimated per mile cost of this roadway would be approximately \$55,000-\$75,000 per mile. The variables are the lift amounts needed to achieve a three percent crown to tow, with no more than a two percent elevation change. This estimate does not include any culvert, drainage, or bridge work that may be needed, dependant on the route chosen.

I will be available to discuss any questions you may have regarding this estimate.

Kevin Hathaway   
Clark County Road and Bridge Supt.  
(208) 374-5408 Or (208) 709-6705

*Marketing of park 2*

## **MEMORANDUM OF AGREEMENT FOR THE CENTENNIAL ENERGY PARK**

The three signatories to this Memorandum of Agreement are Dubois City, (hereinafter "City"), Clark County, (hereinafter "County"), and High Plains Propane LLC (hereinafter "Company"). The parties hereto have an interest in and are establishing this MOA for purposes of defining their participation in the Centennial Energy Park (hereinafter "Park").

In order to accomplish the above, the signatories hereto have agreed that it is important that the parties hereto set forth their Agreement in writing since the aforesaid purposes could not be reached without the help and involvement of all signatories.

Wherefore, the signatories hereto agree with each other that they will each perform as stated below and that they each rely on the commitments and performance of each other to fulfill their obligations as set forth in this agreement.

### **I. DUBOIS CITY AGREES TO DO THE FOLLOWING:**

1. The City upon receipt of a State of Idaho, Department of Commerce State Rural Community Block Grant or Idaho Community Development Block Grant in the amount of up to Five Hundred Thousand Dollars (\$500,000.00). The grant funding is being used to assist with the cost of developing and constructing the necessary infrastructure i.e. water, sewer, power and telephone/communications, rail road spur to and in the Park.
2. The City is contributing Seventy Five Thousand Dollars (\$75,000.00) cash from the water, sewer, and general funds toward land and infrastructure construction costs as identified by the project design, construction and project closeout.

**II: CLARK COUNTY AGREES TO DO THE FOLLOWING:**

1. The County is contributing Seventy Five Thousand Dollars (\$75,000.00) cash from its general funds toward land and infrastructure construction costs as identified by the project design, construction and project closeout.

**III: THE COMPANY AGREES TO DO THE FOLLOWING:**

1. The Company is providing Seventy Five Thousand (\$75,000.00) cash toward land and infrastructure construction costs as identified by the project design, construction and project closeout.

**IV: THE CITY, THE COUNTY AND THE COMPANY AGREE TO THE FOLLOWING:**

1. All three signatories agree to the sale of the Centennial Energy Park lots, with the proceeds from the sale to reimburse the partners equally for contributions including Cash and in-kind work that may be contributed to the park. All contributions and reimbursements shall be agreed upon by all partners less any of the land in the park any partner may utilize for themselves. If any partner wishes to own any parcel of land in the park, the land amount and property value shall be no more than the original average cost per acre and deducted from any remaining reimbursement owed to said partner.

**V. THE CITY, COUNTY and COMPANY JOINTLY AGREE TO THE FOLLOWING:**

1. The City will adequately maintain and service the public infrastructure to be constructed within the Business Park. The City will maintain and service the



"connecting" infrastructure to the Business Park from the City's infrastructure facilities.

2. The City/County agrees to follow the State of Idaho law to sell the lots. This includes establishing the land as surplus and allowing it to be sold off in commercial and industrial lots.
3. The County may build the roads to and in the park, if county crews are available and time permits. The city and county will maintain the roads to and in the park. The County will build a gravel road to Lot 1 per attachment.
4. The City, County and Company agree that the remaining funds from the sale of lots after all reimbursements have been met will be split equally between the partners for agreed upon economic development and community purposes, the Company will have a choice on how they will utilize funds received to them from the sale of lots.
5. The City, County and Company agree that the Company will be located on Lot 1 per attachment.
6. The sale of any acreage owned by any single partner will be sold back to the partnership at the original average cost per acre.

DATED this 15 day of March, 2010.

By: Kath R. Swania  
CITY OF DUBOIS

Title: Mayor

By: William Frederiken  
CLARK COUNTY

Title: Commissioner

By: [Signature]  
HIGH PLAINS PROPANE, LLC

Title: General Manager

Probable Project Cost  
Project: Dubois Energy Park, Dubois Idaho - Phase 1 (4 Lots)  
As Of: March 9 2010

Description	Quantity	Unit	Unit Price	Phase 1 Amount	In-Kind Match	Alternate Rail Spur
<b>General</b>						
Mobilization / De-Mobilization	1	LS	15,000.00	15,000.00		
Site Public Utilities - Power	4	EA	3,000.00	12,000.00		
Site Public Utilities - Communications	4	EA	12,500.00		50,000.00	
<b>Railroad Spur Improvements</b>						
Mobilization / De-Mobilization	1	LS	15,460			15,460.00
Earth Work - Track	1.00	EA	57,000.00			57,000.00
Earthen Bumper	1	EA	2,500.00			2,500.00
Derail	1	EA	15,000.00			15,000.00
Rail (Track Length)	572	TF	156.63			89,592.36
Rail Switch Gear & Installation (No 11 RHTO)	1	EA	150,000.00			150,000.00
Railroad Crossing Improvements	1	EA	125,000.00			125,000.00
Railroad Signage	4	EA	250.00			1,000.00
<b>Road Improvements</b>						
Compacted Gravel Road - (5,714 LF Road)	285,700	SQF	0.44		125,708.00	
<b>Water System Improvements</b>						
Water Main Line - 12 inch PVC Pipe	5,000	LF	24.00	120,000.00		
Railroad Crossing - Bore	100	LF	165.00	16,500.00		
Valves - 12 inch Ductile Iron	4	EA	3,500.00	14,000.00		
Fittings - 12 inch Ductile Iron	6	EA	2,000.00	12,000.00		
Fire Hydrant Assemblies	2	EA	4,250.00	8,500.00		
Commercial Water Service - 4 inch Service Stub	4	EA	3,500.00	14,000.00		
Existing System - Tie In and Repair	1	LS	2,500.00	2,500.00		
Surface Restoration - City Street / Shoulder	7,500	SQF	0.44	3,300.00		
<b>Sanitary Sewer Improvements</b>						
Gravity Sewer Main - 8 inch	1250	LF	31.94	39,925.00		
Commercial Sewer Service	4	EA	950.00	3,800.00		
48-inch Concrete Manhole	3	EA	4,000.00	12,000.00		
East Sewer Lift Station	1	LS	43,383.25	43,383.25		
Pressure Sewer Main and Connections - 4 inch	3829	LF	10.75	41,161.75		
Railroad Crossing - Bore	100	LF	165.00	16,500.00		
Surface Restoration - City Street / Shoulder	4,500	SQF	0.44	1,980.00		
Pumps and Controls	1	LS	4,200.00	4,200.00		
Power Connection	1	LS	1,250.00	1,250.00		
Rock Excavation	1250	LF	22.00	27,500.00		
Electrical and Connections	1	LS	3,500.00	3,500.00		
<b>Estimated Project Total</b>				413,000.00	175,708.00	455,552.36
Property Acquisition					193,765.00	
Recommended Project Contingency 6.59%				27,235.00		30,041.09
Site Civil Surveying/Engineering				50,000.00		
Construction Admin and Engineering				12,000.00		
Financial Management and Legal				4,000.00		
ICDBG - Grant Administration				25,000.00		
UPRR / CRS Rail Spur Design						50,000.00
UPRR / CRS Rail Spur Construction Inspection						10,000.00
<b>Project Construction Cost</b>				<b>531,235.00</b>	<b>369,473.00</b>	<b>545,593.45</b>

Phase 1 Project Cost = 900,708.00

Total Project Cost (with Rail Spur) = 1,446,301.45





# Dubois, Clark County, ID

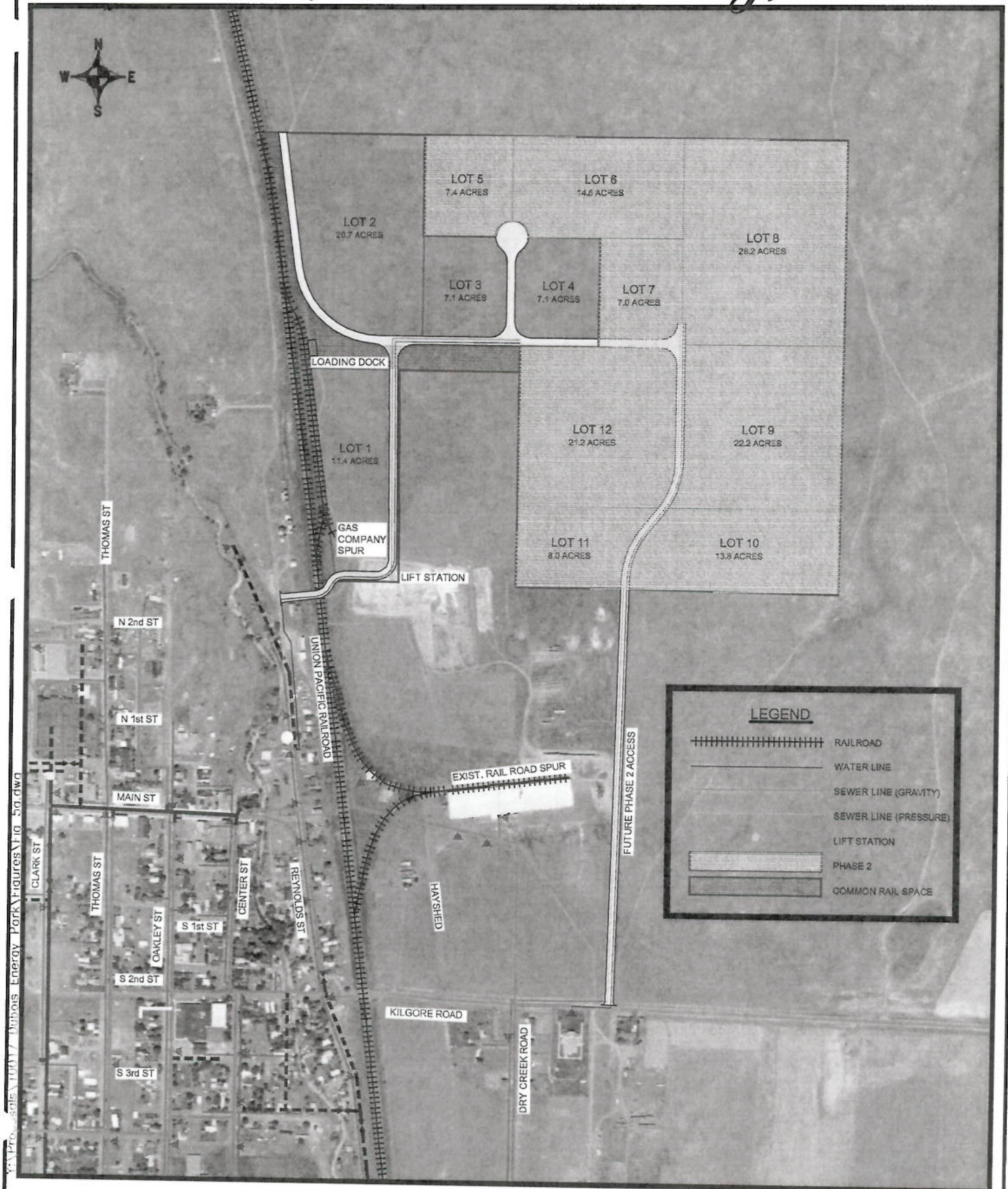


Figure 5a

Energy Park



## *High Plains Propane, LLC*

59 West Main Street – P.O. Box 235

Phone (208) 374-5150

Dubois, Idaho 83423

Fax (208) 374-5688

March 9, 2010

Donald Dietrich, Director  
Idaho Department of Commerce  
700 West State Street  
Boise, Idaho 83720

*8 jobs created*

Dear Mr. Dietrich:

This letter is to serve as commitment that High Plains Propane, LLC will commit to eight (8) jobs as result of the development of the Centennial Energy Park in Dubois, Idaho. These jobs will be filled in the next eighteen months, with at least five filled by May 1<sup>st</sup>, 2010. Positions being filled include Field Manager, Lead Driver, Backup Driver and Tank Setting Technicians. Wages will range from \$20,000 to \$45,000 annually depending on the position and experience. All employees will receive a full benefits package including health insurance, 401K, paid vacations and paid holidays.

High Plains Propane, LLC intends to locate our primary storage facility on the Centennial Energy Park occupying approximately eleven acres. We will also be contributing a business expense of \$75,000 cash towards the purchase of the property for location of the energy park.

Overall, High Plains Propane, LLC will be making an investment of nearly \$1,000,000 for the location, construction and startup costs of the propane business that will be located in Dubois, Idaho. We will begin construction of our primary storage facilities around May 1<sup>st</sup>, 2010 and will be completed for start of operations by June 1<sup>st</sup>, 2010. The overall construction portion will employ approximately five employees during the month of May.

Regards,



Randy L. Mead  
General Manager



## *Mud Lake Telephone Co-op*

59 West Main Street – P.O. Box 235  
Phone (208) 374-5401      Dubois, Idaho 83423      Fax (208) 374-5688

March 9, 2010

Mr. Donald Dietrich, Director  
Idaho Department of Commerce  
700 West State Street  
Boise, Idaho 83720


*2 jobs created  
2 jobs retained*

Dear Mr. Dietrich:

This letter is to serve as commitment that Mud Lake Telephone Co-op will commit to two (2) jobs as result of the development of the Centennial Energy Park in Dubois, Idaho. These jobs will be filled in the next three months. Positions being filled are Installer/Technicians. Wages will range from \$20,000 to \$45,000 annually depending on the experience. All employees will receive a full benefits package including health insurance, 401K, paid vacations and paid holidays.

Mud Lake Telephone will be contributing approximately \$50,000 into the construction of communications facilities into the park. The construction will employ approximately four (4) workers and will cover a two to three month time frame. In addition, two (2) of our existing positions will be retained as a result of the development of the Centennial Energy Park.

Regards,



Randy L. Mead  
General Manager

## **Job Creation Agreement between City of Dubois and Business**

Note: This agreement must be completed and executed by the application deadline.

Whereas, the City of Dubois is applying for an Idaho Community Development Block Grant to provide for the construction of infrastructure to create the Centennial Energy Park from which High Plains Propane and Mud Lake Telephone Companies will benefit.

Whereas, the companies, High Plains Propane and Mud Lake Telephone have plans to expand operations in the City of Dubois due to the receipt of a grant that will increase or provide public infrastructure sufficient for the company's needs and requirements.

Therefore, as a result of the grant assistance, the company certifies and agrees that by December 31, 2010, High Plains Propane will create 8 new jobs and retain 2 jobs as a direct result of the grant project and that of those jobs at least 51% will be held by LMI persons.

And;

Mud Lake Telephone Company will create 2 new jobs as a direct result of the grant project and that of those jobs at least 51% will be held by LMI persons.

The company further agrees to abide by all the following conditions of this Agreement.

### **Definitions**

- A. The City of Dubois, hereafter is known as the GRANTEE.
- B. The High Plains Propane, hereafter is known as the COMPANY, and Mud Lake Telephone, hereafter known as the PARENT COMPANY.
- C. Funding Source: The Idaho Community Development Block Grant (ICDBG) program is funded by the U.S. Department of Housing and Urban Development (HUD) and managed by the Idaho Department of Commerce (DEPARTMENT).
- D. Low and Moderate Income (LMI): Family median income standards are set by HUD at a county level and by family size. Families having income 80% or less of the median income are defined as moderate-income families. Families having income 50% or less are defined as low-income families. HUD prepares a family size and income table each year.
- E. LMI Person: A member of a LMI family.

F. Full-Time Equivalent (FTE): Job creation must be calculated in FTE's. Part-time jobs must be aggregated into FTE's. Generally, employment of 2080 hours per a 12-month period or 30 hours or more a calendar week is considered to be full-time.

### **The Project**

The GRANTEE agrees to provide the following public infrastructure to assist the COMPANY with its planned expansion or location in the community.

(Items listed here)

### **Job Creation/Retention**

The COMPANY commits that by December 31, 2010 it will create 8 net new FTE jobs above its current employment and retain 2 FTE jobs as established by the COMPANY payroll of February 28, 2010, hereby incorporated into this agreement. Of these jobs, 51% will be held by LMI persons. The new jobs to be created (and/or retained) are identified in Attachment "A".

The PARENT COMPANY commits that by December 31, 2010 it will create 2 net new FTE jobs above its current employment and/or retain -0- FTE jobs as established by the PARENT COMPANY payroll of February 28, 2010, hereby incorporated into this agreement. Of these jobs, 50% will be held by LMI persons. The new jobs to be created (and/or retained) are identified in Attachment "A".

### **Claw-Back**

Regardless of the number of new jobs created, the COMPANY and the PARENT COMPANY agree to reimburse the GRANTEE the entire amount of the grant if less than 51% of all new jobs created are filled by LMI persons.

The COMPANY agrees to reimburse the GRANTEE a pro rata dollar amount per job not created if the total number of new jobs created does not meet or exceed the number of jobs committed above. The dollars per job ratio is \$ \_\_\_\_\_, being the grant dollar to new job ratio contained in the full application.

The COMPANY agrees that the decision of the DEPARTMENT will be final in judging the level of job creation and the percentage of LMI persons hired.

### **Project Timetable**

The COMPANY will report major milestones on the timetable listed below.

<u>DATE</u>	<u>ACTIVITY</u>	<u>DOCUMENTATION REQUIRED</u>
3-15-2010	Business Commitment	Executed Lease or Building Permit
6-1-2010	Employee / Job Verification	Existing Employee Job Listing
6-1-2010	Start of Business Construction	Notice to Proceed to Contractor



7-30-2010	Business Construction Complete	Certificate of Substantial Completion and Occupancy Permit
12-31-2010	Jobs Created and Retained	Employee Job Listing

### **Recordkeeping and Reports**

The COMPANY will maintain evidence and documentation of the jobs to be created and/or retained and the persons hired to fill the new jobs and/or employed currently. The information will include the person's name, family income, sex, race, ethnicity, and handicapped status.

- A. To document at least 51% of the created jobs will be **held by** LMI persons, Attachment "A" must be incorporated into this agreement.
  - 1) If jobs are based on retention then additional documentation must include evidence the jobs would be lost in the absence of CDBG assistance.
- B. To prove that at least 51% of the jobs are held by LMI persons, the following information must be provided before project close-out:
  - 1) The completed income surveys of each employee hired during the project timeline. (The income survey must be in the format as designated by the Department).
  - 2) The employee job listing which identifies the employee, job title, LMI status before hire, full or part time position, wage, gender, and if provided by employee ethnic data.
  - 3) Contact information for the businesses' human resource representative
- C. This information will be maintained for four (4) years beyond the final date of completion of the job creation.

### **Monitoring Rights of Government Officials**

The information and all records related to the job creation will be made available to the GRANTEE, the Idaho Department of Commerce, and federal officials from the U.S. Department of Housing and Urban Development.

The COMPANY upon request will allow the above officials access to the records during regular working hours. The COMPANY shall, upon request, allow for visual inspection of the company expansion and provide for interviews with employees to verify job creation.

### **Effectiveness**

This agreement is effective from the time the full application is submitted to the DEPARTMENT and will remain in effect until the jobs are created and the grant is closed out by the DEPARTMENT. Closeout occurs after the DEPARTMENT determines the GRANTEE has complied with all grant conditions, regulations, and the COMPANY has created the jobs per this agreement.

This agreement is based upon the contract, rules, and regulations of the ICDBG program.

**Signatures**

I certify by my signature that I have the authority to commit the High Plains Propane (COMPANY) and the Mud Lake Telephone (PARENT COMPANY) to this Grant Assistance Agreement.

Signed:  Date: 03/11/2010

Name and Title: Randy L. Mead General Manager

I certify by my signature that I have the authority to commit the City of Dubois to this Grant Assistance Agreement.

Signed:  Date: 12 March 10

Name and Title: Keith Tweedie, Mayor of the City of Dubois

## ATTACHMENT A

## Proposed Jobs

Company Name: High Plains Propane

Job Title	Full or part time jobs	Hourly Wage or Salary	Special Skills or Education Required	On the Job Training to be Provided	No of People Required (FTE)	Approximate Date of Hire	Likely LMI Job Yes/No
Operations Manager	Full	\$40,000 to \$45,000	YES	YES	1	05/01/2010	
Administrative Assistant	Full	\$25,000 to \$35,000	YES	YES	1	05/01/2010	
Delivery Driver	Full	\$25,000 to \$37,000	YES	YES	2	05/31/2010	
Lead Service Technician	Full	\$25,000 to \$40,000	YES	YES	1	05/15/2010	
Assistant Service Technician	Full	\$21,000 to \$28,000	YES	YES	3	08/31/2010	



## ATTACHMENT A

## Proposed Jobs

Company Name: Mud Lake Telephone

Job Title	Full or part time jobs	Hourly Wage or Salary	Special Skills or Education Required	On the Job Training to be Provided	No of People Required (FTE)	Approximate Date of Hire	Likely LMI Job Yes/No
Installer	FULL	\$21,000 to \$22,000 SS	No	YES	2	04/30/2010	

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January 21, 2010

Honorable Greg Shenton,  
Chairman, Clark County Commission  
P. O. Box 205  
Dubois, Idaho 83423-0205

Subject: Job Creation at the Clark County/City of Dubois Energy/Business Park

Dear Commissioner Shenton:

Clean Mountain Energy LLC will be forming a joint venture with Dynamis Energy LLC to operate the Clark County Waste to Energy Plant. It is expected that this joint venture will create thirty-seven (37) full time operations jobs in Clark County and Dubois. Thirty-two (32) of the operations based jobs will be located in Dubois with an additional five (5) management and waste transportation positions based out of our Pocatello Office. These jobs will be both hourly and salaried and will have an average wage of \$21.00/hr with medical benefits. We expect to begin full time employment with a least one (1) management position as soon as June 1, 2010 and will ramp up to full staffing levels within three (3) months of Plant startup.

In addition to the jobs created in Dubois and Pocatello, it is anticipated that the operations of this Plant will create at least 5 jobs in the Boise area as part of the Dynamis Energy Network Operations Center (DENOC).

The creation of these Jobs is contingent on the passage of the Clark County Revenue Bond. The Bond question is scheduled to be part of the May 25, 2010 election.

If you have any questions regarding the job creation schedules please contact me at (208) 478-1099 or Mr. Lloyd Mahaffey at Dynamis Energy LLC at (208) 938-2681.

Best Regards,

Rick L. Fawcett, DA  
President,  
Clean Mountain Energy LLC  
1110 Call Creek Drive Ste 6  
Pocatello, Idaho 83201